

**ALEXANDRIA TOWNSHIP COMMITTEE MEETING
MINUTES
January 13, 2021**

This meeting was advertised in The Hunterdon Democrat, notice posted on the Alexandria Township Municipal Office front doors, and the Alexandria Township Website (www.alexandrianj.gov) at least forty-eight (48) hours prior to the meeting as required by the revised Open Public Meetings Act. In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et, seq., and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9 ,2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the Township of Alexandria does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, the meeting of the Mayor and the Township Committee scheduled January 13, 2021 will be held electronically only.

**Members of the public who wish to participate in the meeting may do so by calling
1-978-990-5000 followed by meeting number Access Code: 333891 at 7:35 PM.**

Individuals calling into this number will be able to fully participate in the meeting, including providing public comment. *A non-public dial in number will be used if executive session is required.*

Pursuant to DCA regulations, members of the public are permitted to submit written public comments. The Township Committee in advance of the remote meeting shall allow public comments to be submitted to the Clerk by electronic mail and in written letter form by noon the day of the meeting to clerk@alexandrianj.gov if electronic mail or Township of Alexandria, Attn: Township Clerk, 242 Little York-Mt. Pleasant Road, Milford, NJ 08848 if in written letter as shall be established and posted on the website (www.alexandrianj.gov) in advance of the remote public meeting. Public comments submitted prior to the remote public meeting through electronic or regular mail shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public with a time limit of three minutes to be placed on the reading of written comments, which shall be read from their beginning until the time limit is reached.

Meeting Called to order at 7:39 PM.

ROLL CALL:

PRESENT: Mayor Plumer, Committeeman Pfefferle, Committeeman Kiernan, Twp. Atty. Dragan

ABSENT: None

FLAG SALUTE:

Mayor Plumer led the flag salute.

OLD BUSINESS:

None

NEW BUSINESS:

- Ordinance 2021-1 An Ordinance Appropriating \$270,000.00 for a Roof Replacement of the Alexandria Township Park Barn in the Township of Alexandria, County of Hunterdon, State of New Jersey -**1st Reading**

AEA Member Judy Tucker had several questions regarding the Ordinance for the roof such as why a second reading could not be done by the end January, if the Ordinance was a Capital Ordinance, and when the Chapter 159 Resolution would be done. Township Clerk/Administrator Bobrowski noted that a second reading of the ordinance could not be done by the end of the month due to the publication of the ordinance on first reading and requirements needed to be adhered as to how many days in between each reading from the publication date. The ordinance is a capital ordinance and that a Chapter 159 resolution will not be needed as confirmed by CFO Rees with the State. The roof contractor will be notified once funding is in place. Work on the roof should begin in the Spring.

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve Ordinance 2021-1 on **1st Reading. The Public Hearing is scheduled for February 10, 2021.**

Roll Call: Aye: Kiernan, Pfefferle, Plumer

Nay: None

Abstain: None

Motion Carried

**TOWNSHIP OF ALEXANDRIA
COUNTY OF HUNTERDON
ORDINANCE NO. 2021- 1**

AN ORDINANCE APPROPRIATING \$270,000.00 FOR A ROOF REPLACEMENT OF THE ALEXANDRIA TOWNSHIP PARK BARN IN THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

BE IT ORDAINED, by the Township Committee of the Township of Alexandria, in the County of Hunterdon, State of New Jersey, as follows:

SECTION ONE: The improvements described in Section 2 of this ordinance are hereby authorized as a general improvement to be made by the Township of Alexandria. For the said improvement described in Section 2, there is hereby appropriated the sum of \$270,000.00, said sum being inclusive of all appropriations heretofore made, therefore.

SECTION TWO: The sum of \$120,000.00 is hereby appropriated from the County of Hunterdon Parks & Open Space Trust Fund, \$100,000.00 from the Township of Alexandria Open Space Trust Fund, and \$50,000.00 from the A.E.A. for a total appropriation of \$270,000.00 for a roof replacement of the Alexandria Township Park Barn.

SECTION THREE: There is no debt authorization for this improvement or purpose

SECTION FOUR: The Capital Budget of the Township of Alexandria is hereby amended to conform with the provisions of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its publication, following final adoption, as provided by law.

- Ordinance 2021-2 Amending Article XXIII of Chapter 115 of the Land Use Ordinance of the Township of Alexandria, County of Hunterdon and State of New Jersey Pertaining to Stormwater Management-**1st Reading**

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve Ordinance 2021-2 on **1st Reading. The Public Hearing is scheduled for February 10, 2021.**

Roll Call: Aye: Kiernan, Pfefferle, Plumer

Nay: None

Abstain: None

Motion Carried

**AN ORDINANCE AMENDING ARTICLE XXIII OF CHAPTER 115 OF THE LAND USE ORDINANCE OF
THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY
PERTAINING TO STORMWATER MANAGEMENT
ORDINANCE 2021-02**

WHEREAS, the State of New Jersey amended its Stormwater Management Rules found at at N.J.A.C. 7:8, et seq. on March 2, 2020; and

WHEREAS, the municipalities in the State of New Jersey are required to amend their Stormwater Control Ordinances to align with the updated Stormwater Management Rules at N.J.A.C. 7:8, et seq. on or before March 2, 2021; and

WHEREAS, the Township of Alexandria's Stormwater Management ordinance, as contained in Article XXIII, Chapter 115 of the Township's Land Use portion of the Code of Alexandria Township, must be amended to conform to the State's amended rules;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Alexandria, County of Hunterdon and State of New Jersey, that Article XXIII of Chapter 115 (Land Use) of the Code of the Township of Alexandria entitled "Stormwater Management" is hereby amended as follows:

SECTION 1. Article XXIII, Sections 115-159 through 171 are hereby repealed in their entirety and shall be replaced with the following:

ARTICLE XXIII- Stormwater Management

Section 115-159. Scope and Purpose

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity and groundwater recharge. The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development", as defined below and to help accomplish the following:

1. Reduce artificially induced flood damage to public health, life and property;
2. Minimize increased stormwater runoff rates and volumes;
3. Minimize the deterioration of existing structures that would result from increased rates of stormwater runoff;

4. Induce water recharge into the ground wherever suitable infiltration, soil permeability and favorable geological conditions exist;
5. Prevent an increase in non-point source pollution;
6. Maintain the integrity and stability of stream channels and buffers for their ecological functions, as well as for drainage, the conveyance of floodwater, and other purposes;
7. Control and minimize soil erosion and the transport of sediment;
8. Minimize public safety hazards at any stormwater detention facility constructed pursuant to subdivision or site plan approval;
9. Maintain adequate baseflow and natural flow regimes in all streams and other surface water bodies to protect the aquatic ecosystem;
10. Protect all surface water resources from degradation; and
11. Protect groundwater resources from degradation and diminution.

B. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the Township of Alexandria and other governmental entities.

C. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section 115-160: Definitions

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"Community basin" means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c) 14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

"Compaction" means the increase in soil bulk density.

"Contributory drainage area" means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

"Core" means a pedestrian -oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

"County review agency" means an agency designated by the Board of County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency; or
2. A county water resource association created under N.J.S.A. 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

"Department" means the Department of Environmental Protection.

"Designated Center" means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

"Design engineer" means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: Development any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CADB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 *et seq.*

"Disturbance" means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

"Drainage area" means a geographic area within which stormwater, sediments, or dissolved material drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

"Environmentally constrained area" means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

"Environmentally critical area" means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

"Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

"Green infrastructure" means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

"Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water. All buildings, parking areas, driveways, roads, sidewalks and areas in concrete, asphalt and packed stone shall be considered impervious surfaces within this definition. In addition, other areas determined by the Municipal Engineer to be impervious within the meaning of this definition shall also be deemed an impervious surface.

"Infiltration" is the process by which water seeps into the soil from precipitation.

"Lead planning agency" means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

"Major development" means an individual "development," as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021 or the effective date of this Ordinance, whichever is earlier; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval

under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

"Motor vehicle" means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope, grooming machines, or vehicles that run only on rails or tracks.

"Motor vehicle surface" means any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, race tracks, and runways.

"Municipality" means any city, borough, town, township, or village and, for the purposes of this ordinance the Township of Alexandria.

"New Jersey Stormwater Best Management Practices (BMP) Manual" or "BMP Manual" means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section 115-162F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

"Node" means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

"Nutrient" means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

"Person" means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

"Pollutant" means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. ' 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

"Recharge" means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

"Regulated impervious surface" means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

"Regulated motor vehicle surface" means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

"Sediment" means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site or origin by air, water or gravity as a product of erosion.

"Site" means the lot or lots upon which a major development is to occur or has occurred.

"Soil" means all unconsolidated mineral and organic material of any origin.

"State Plan Policy Map" is defined as the geographic application of the State Development and redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

"Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

"Stormwater management BMP" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

"Stormwater management measure" means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

"Stormwater runoff" means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

"Stormwater management planning agency" means a public body authorized by legislation to prepare stormwater management plans.

"Stormwater management planning area" means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by the agency.

"Water control structure" means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

"Waters of the State" means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

"Wetlands" or "wetland" means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Section 115-161: Design and Performance Standards for Stormwater Management Measures

A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:

1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Section 115-162: Stormwater Management Requirements for Major Development

A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 115-168.

B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).

C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Sections 115-162 P, Q and R:

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and

3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Sections 115-162 O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;

2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section 115-162 O, P, Q and R to the maximum extent practicable;

3. The applicant demonstrates that, in order to meet the requirements of Section 115-162 O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and

4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under Sections 115-162 D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Sections 115-162 O, P, Q and R that were not achievable onsite.

E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section 115-162 O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A. C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at http://njstormwater.org/bmp_manual2.htm.

F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity					
Best Management Practice	Stormwater Runoff TSS Rate	Stormwater Runoff Quality Removal	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table
Cistern	0		Yes	No	
Dry Well ^(a)	0		No	Yes	2
Grass Swale	50 or less		No	No	2 ^(e) 1 ^(f)
Green Roof	0		Yes	No	--
Manufactured Treatment Device ^{(a)(g)}	50 or 80		No	No	Dependent upon the device
Pervious Paving System ^(a)	80		Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90		Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale	80		Yes	Yes	2
Small-Scale Sand Filter	80		Yes	Yes	2
Vegetative Filter Strip	60-80		NO	No	--

(Notes corresponding to annotations ^(a) through ^(g) are found on the notes below Table 3)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found in the notes below Table 3)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff TSS Removal Rate	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	
Subsurface Gravel	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- a. subject to the applicable contributory drainage area limitation specified at Section 115-162.0(2)
- b. designed to infiltrate into the subsoil;
- c. designed with underdrains;
- d. designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- e. designed with a slope of less than two percent;
- f. designed with a slope of equal to or greater than two percent;
- g. manufactured treatment devices that meet the definition of green infrastructure at Section 115-160;
- h. manufactured treatment devices that do not meet the definition of green infrastructure at Section 115-160.

G. An alternative stormwater management measure, alternative removal rate, and/or alternate method to calculate the removal rate may be used if the design engineer

demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section 115-164 B. Alternative stormwater management measures may be used to satisfy the requirements at Section 115-162O only if the measures meet the definition of green infrastructure at Section 115-160. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section 115-162 O.2 are subject to the contributory drainage area limitation specified at Section 115-162 O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section 115-162 O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 115-162D is granted from Section 115-162O.

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

I. Design standards for stormwater management measures are as follows:

1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations high than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the

weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 115-166C;

3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions with the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;

4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section 115-166; and

5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be minimum of two and one-half inches in diameter.

J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section 115-160 may be used only under the circumstances described at Section 115-162 O.4.

K. Any application for a new agricultural development that meets the definition of major development at Section 115-160 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections 115-162 O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Sections 115-162 P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Hunterdon County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Sections 115-162 O, P,

Q and R shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section 115-168B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 115-162 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Hunterdon County Clerk or the registrar of deeds and mortgages, as applies and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with Section 115-162M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with Section 115-162M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.

2. To satisfy the groundwater recharge and stormwater and stormwater runoff quality standards at Sections 115-162P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 115-162F and/or an alternative stormwater management measure approved in accordance with Section 115-162G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Section 115-162R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section 115-162G.

4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 115-162D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section 115-162G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Sections 115-162P, Q and R.

5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Sections 115-162P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section 115-162D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater

recharge as follows:

2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 115-163, either:

- i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
- ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.

3. This groundwater recharge requirement does not apply to projects within the "urban development area," or to projects subject to Section 115-162 P.4 below.

4. The following types of stormwater shall not be recharged:

- i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, area where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
- ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.

2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:

- i. Eighty (80%) percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.

3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.

4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

TABLE 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1088
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1286
7	0.001162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1484
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000

21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and
 A = the TSS Percent Removal Rate applicable to the first BMP
 B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Sections 115-162P, Q and R.

7. In accordance with the definition of FWI at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FWI.

8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.

9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.

10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.

2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 115-163, complete one of the following:

- i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing or stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Section 115-163. Calculation of Stormwater Runoff and Groundwater Recharge.

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:

i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the National Resources Conservation Service website at: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address,

and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Section 115-163 A.1.i and the Rational and Modified Rational Methods at Section 115-163A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.

4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 - Urban Hydrology for Small Watersheds* or other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood evaluation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website

at: <https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

Section 115-164. Sources for Technical Guidance.

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at: http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

2. Additional maintenance guidance is available on the Department's website at: https://www.njstormwater.org/maintenance_guidance.htm.

B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

Section 115-165. Solids and Floatable Materials Control Standards.

A. Site design features identified under Section 115-162F above, or alternative designs in accordance with Section 115-162G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 115-165A.2. below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or

ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:

- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

These exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or

v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register to Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section 115-166. Safety Standards for Stormwater Management Basins.

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section 115-166C.1, Section 115-166C.2 and Section 115-166C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:

- i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
- ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
- iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
- iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.

2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
- ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
- iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.

3. Stormwater management BMPs shall include escape provisions as follows:

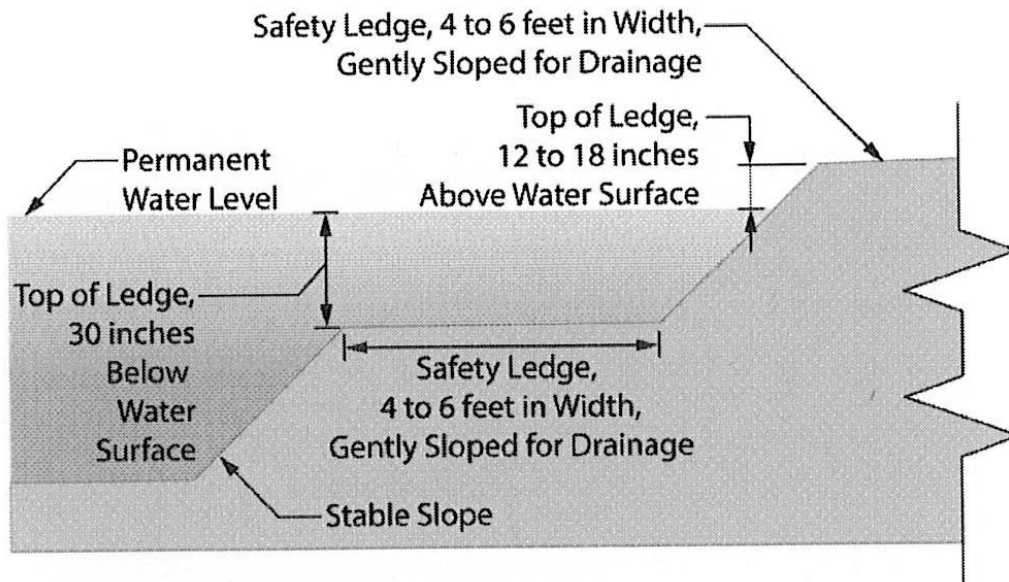
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to Section 115-166C, a free-standing outlet structure may be exempted from this requirement;
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See Section 115-166E. for an illustration of safety ledges in a stormwater management BMP; and
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View-Basin Safety Ledge Configuration



NOTE:
Only For Basins with Permanent Pool of Water

Not to Scale

Section 115-167. Requirements for a Site Development Stormwater Plan.

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 115-167C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit five (5) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 115-167C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its

surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Section 115-161 through Section 115-163 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 115-162 of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 115-168

8. Waiver from submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section 115-167C.1 through Section 115-167C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section 115-168: Maintenance and Repair

A. Applicability

Projects subject to review as in Section 115-159B of this ordinance shall comply with the requirements of Section 115-168B and Section 115-168C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

2. Maintenance Plans:

- a. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The

plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.

b. Stormwater facilities shall be constantly maintained by the owner or association to assure continual functioning of the system at design capacity and to prevent the health hazards associated with debris buildup and stagnant water. Maintenance responsibilities, inspection schedules and tasks will be clearly shown in the proposed plan. In no case shall water be allowed to remain in any facility long enough to trigger a mosquito breeding disease or cause any other type of health problem. The maintenance plan must include inspection routines to reduce the potential for extensive, difficult, and costly remedial or emergency maintenance efforts, including inspection checklists. Inspection checklists may address such items as:

- i. Obstruction of inlet devices by trash and debris;
- ii. Evidence of erosion, sedimentation or instability;
- iii. Malfunctioning of valves, gates, locks, access hatches or equipment;
- iv. Deteriorated conduit outlet or seepage around outlet;
- v. Cracks or other deterioration of inlets, outlets, pipes, and conduits;
- vi. Inadequate draining, clearing or clogging of control devices;
- vii. Trimming, cutting or mowing of vegetation as required;
- viii. Erosion and debris in emergency spillways and/or filter strips;
- ix. Deterioration of downstream channels/conduits;
- x. Invasive or noxious weeds out of character with those specified;
- xi. Saturated conditions or standing water;
- xii. Animal burrowing; and
- xiii. Vandalism or other non-specified occurrences.

3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.

4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

5. If the party responsible for maintenance identified under Section 115-168B.3 above is not a public agency, the maintenance plan and any future revisions based on Section 115-168B.7 below shall be recorded upon the deed or record for each property on which the maintenance described in the maintenance plan must be undertaken.

6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

7. The party responsible for maintenance identified under Section 115-168B.3 above shall perform all of the following requirements:

i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;

ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and

iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section 115-168B.3 and Section 115-168B.7.

iv. Beginning on March 3, 2021, or the effective date of this ordinance, whichever is sooner, make annual submissions to the municipality, no later than January 31st, containing excerpts of the detailed log of all preventative and corrective maintenance that was performed for the calendar year that just ended for all structural stormwater measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance related work orders.

8. The requirements of Section 115-168B.3 and Section 115-168B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department. https://www.njstormwater.org/maintenance_guidance.htm.

9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for

good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

Section 115-169. Review and Inspection fees,

A. Review fees.

1. When stormwater management plans are required to be prepared and submitted for review and approval under this article, and when such plans are submitted for review and approval in conjunction with an application for development approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., then no additional and separate review fee shall be required. The costs for professional review of the stormwater management plan will be deducted from the review escrow account established for the development application in accordance with the applicable provisions of this chapter.

2. A review fee of \$500 shall be paid to the Township whenever:

i. A stormwater management plan is required to be prepared and submitted for review and approval under this article, and such plan is not submitted for review and approval in conjunction with an application for development approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

ii. A revised stormwater management plan is submitted for review and approval subsequent to the approval of a development application by the Planning Board or Board of Adjustment, and when revisions to a previously approved stormwater management plan are necessitated by field conditions or other modifications to the development proposal.

B. Inspection Fees.

1. When stormwater management improvements are constructed in conjunction with other site improvements associated with an approved major subdivision or site plan, then no additional and separate construction inspection escrow account shall be required.

2. When stormwater management improvements are constructed in conjunction with a minor subdivision approval, or variance approval for which no site plan was required, then a construction inspection escrow account shall be established with the Township in the manner provided in this chapter and in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

Section 115-170: Penalties

A. Fines

1. Any violation of any provision of this Ordinance shall be punishable by a fine not to exceed \$1000.00 for each offense and/or imprisonment for a term not exceeding ninety (90) days. The following individuals shall be subject to potential punishment:

- i. The owner, general agent, contractor or occupant of a building, premises or part thereof where such a violation has been committed or does exist; and
- ii. Any agent, contractor, architect, engineer, builder, corporation or other person who commits, takes part or assists in the violation.

2. Each day that a violation continues shall constitute a separate offense.

3. The imposition of penalties herein shall not preclude the Township or any other person from instituting an action to prevent an unlawful construction, reconstruction, alteration, repair, conversion, or use or to restrain, correct or abate a violation, or to prevent the illegal occupancy of a building, land or premises.

B. Injunctive Relief

In addition to the foregoing, the Township may institute and maintain a civil action for injunctive relief.

SECTION TWO. Severability. If any article, section, subsection or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other articles, sections, subsections or provisions of this Ordinance and, to this end, the provisions of this Ordinance are declared to be severable.

SECTION THREE. Repealer. All ordinances and resolutions or parts thereof which are inconsistent with this Ordinance are repealed.

SECTION FOUR. Renumbering. The articles, sections, subsections or provisions of this Ordinance may be renumbered as practical or reasonable for codification purposes.

SECTION FIVE. Effective Date.

This ordinance shall take effect immediately upon final adoption and publication by the Alexandria Township Committee and the approval of the County reviewing agency, or sixty (60) days from receipt of the Ordinance by the County reviewing agency if the County reviewing agency should fail to act.

- Mt. Pleasant 25 MPH Speed Zone

Township Clerk/Administrator Bobrowski received several complaints pertaining to speeding in Mt. Pleasant due to construction work on the bridge. The complaints were forwarded to the County Road Department. The County Road Department has asked for the Township Committee's consent on lowering the speed limit on Route 519 from 40 MPH to 25 MPH. The new speed limit will extend 450 feet from where the 40 MPH began right after the Mt. Pleasant bridge. The County Road Department provided a diagram for the Township Committee to review the delineated speed limit changes.

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve the speed limit decrease in Mt. Pleasant as designated on the diagram from the County Road Department.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

- Resolution 2021-046 Authorizing Affidavit of Lost Letter of Credit-Kiser Enterprises, LLC (Pondview Estates), B-10, L-17

A policy will be drafted as to the protocol of accepting and returning Letters of Credits as Fulton Bank is asking for a Affidavit of a Lost Letter of Credit. The Township has no receipt or documentation of received in replacement Letter of Credit in 2017.

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve Resolution 2021-046.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

RESOLUTION 2021- 046 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AUTHORIZING AFFIDAVIT OF LOST LETTER OF CREDIT - KISER ENTERPRISES, LLC (POND VIEW ESTATES) , BLOCK 10, LOT 17

WHEREAS, the Township was notified that a certain Irrevocable Standby Letter of Credit #S040887 dated December 1, 2017, was allegedly issued by Fulton Bank of New Jersey by merger now Fulton Bank, N.A. in the face amount of \$24,588.26 for Kiser Enterprises, LLC or " Developer" as part of a maintenance guarantee of certain roadway/site improvements installed in connection with a subdivision approval obtained by Developer for property originally known as Block 10, Lot 17 on the official tax map of the Township of Alexandria and commonly known as "Pond View Estates"; and

WHEREAS, Letter of Credit #S040887 was a purportedly to have been a replacement for Letter of Credit No. #174102001 dated December 1, 2017 which was issued by the Bridgewater office of Fulton Bank of New Jersey and subsequently authorized and released by the Township Committee at the end of the two year maintenance period by Resolution #2019-097 adopted on November 13, 2019. The original Letter of Credit #174102001 was returned to the Bank; and

WHEREAS, after an extensive records search, the Township cannot find any record of having ever received Letter of Credit #S040887; therefore, it cannot be returned to the issuer because it was apparently lost or destroyed; and

WHEREAS, Fulton Bank, N.A. has advised that the original Letter of Credit #S040887 may be cancelled via Affidavit of Lost Letter of Credit, the form of which is attached hereto as Exhibit A; and

WHEREAS, the Township attorney has reviewed and recommended for approval execution of the Affidavit of Lost Letter of Credit as proposed by Fulton Bank, N.A. and the Township Committee is in agreement with same.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Alexandria, County of Hunterdon and State of New Jersey, on this 13th of January , 2021 as follows:

1. On behalf of the Township Committee, the Township Administration/Clerk and/or the Mayor, as appropriate, is hereby authorized to execute the form of Affidavit of Lost, Destroyed or Stolen Letter of Credit ("Affidavit") presented by Fulton Bank.

2. A copy of the aforementioned and fully-executed Affidavit shall be retained on file in the Township Clerk's Office.

3. This Resolution shall take effect immediately.

CONSENT AGENDA:

All items listed with an asterisk on the agenda "*" are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a Committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve the resolutions below on the Consent Agenda.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

- Resolution 2021-044 Overpayment of Dog License Payment for Stagg

RESOLUTION 2021-044 TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR OVER PAYMENT OF DOG LICENSE FOR STAGG

WHEREAS, payment in the amount of \$15.00 was received from Karen Stagg for dog license # 59 for the 2020 license period and the dog license was issued on January 15, 2020 and

WHEREAS, a second payment was received from Karen Stagg and dog license #706 was issued when a new dog license application when mailed in as owner thought she was paying in advance in November for a 2021 dog license ; and

WHEREAS, Karen Stagg has submitted a request to be refunded the amount of \$15.00 for the duplicate dog license payment.

NOW, THEREFORE BE IT RESOLVED, that the Alexandria Township Finance Office be authorized to issue a refund check in the amount of \$15.00, payable to:

Karen Stagg
15 Hilltop Road
Milford, NJ 08848

- Resolution 2021-045 Amending Resolution 2019-090 and Cancelling Contracts for Purchase of 2021 Western Star 4700SB Single Axle Dump Truck, Body, Plow, Spreader, and Warranty

RESOLUTION 2021-045 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING RESOLUTION 2019-090 AND CANCELLING CONTRACTS FOR PURCHASE OF 2021 WESTERN STAR 4700SB SINGLE AXLE DUMP TRUCK, BODY, PLOW, SPREADER AND WARRANTY

WHEREAS, by Resolution 2019-090 adopted on October 9, 2019, the Township Committee of the Township of Alexandria approved the following purchases:

1. 2021 Western Star 4700SB Single Axle Dump Truck frame in the amount of \$103,073.10 under ESCNJ Co-Op Contract 17/18-30 (Township P.O. No. 11520);
2. 2021 Western Star 4700SB Single Axle Dump Truck Body, Plow and Spreader in the amount of \$76,128.00 under Sourcewell National Co-op Contract 080818-HPI (Township P.O. No. 11469); and
3. 2021 Western Star 4700SB Single Axle Dump Truck Warranties in the amount of \$6,899.00 (Township P.O. No. 10633); and

WHEREAS, the first (1) and third (3) items were to be purchased from Hoover Truck and Bus Centers ("Hoover"), and the second (2) item was to be purchased from Henderson Products Inc. ("Henderson"), each under the respective cooperative purchasing agreements; and

WHEREAS, due to a defect in the particular 2021 Western Star 4700SB Single Axle Dump Truck Frame delivered, and resulting issues concerning the warranty, Hoover and the Township seek to formally cancel the existing contract(s) between Hoover and the Township for the purchase of items one (1) and three (3) above; and

WHEREAS, as a result of the defective truck and issues concerning the warranty, Henderson and the Township also seek to formally cancel the existing contract between Henderson and the Township for item two (2) above; and

WHEREAS, also as a result of the cancellation of the contracts between the parties, the Chief Financial Officer seeks authorization to cancel Purchase Order Numbers 11520, 11469 and 10633 at this time.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The contract(s) authorized by Resolution No. 2019-090 between Hoover and the Township for purchase of a 2021 Western Star 4700SB Single Axle Dump Truck frame in the amount of \$103,073.10 under ESCNJ Co-Op Contract 17/18-30 2021 and Western Star 4700SB Single Axle Dump Truck Warranties for \$6,899.00 are hereby cancelled, and the parties thereto shall have no further obligations to each other thereunder.
2. The contract authorized by Resolution No. 2019-090 between Henderson and the Township for purchase of a 2021 Western Star 4700SB Single Axle Dump Truck Body, Plow and Spreader in the amount of \$76,128.00 under Sourcewell National Co-Op Contract 080818-HPI is hereby cancelled, and the parties thereto shall have no further obligations to each other thereunder.
3. The Chief Financial Officer shall cancel Purchase Order Numbers 11469, 11520 and 10633.

4. When countersigned by Hoover and Henderson, respectively, this Resolution shall serve as an amendment to each of the original contracts for purposes of confirming the cancellation of the respective contracts hereunder.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

ENGINEER'S REPORT:

Township Committee reviewed the attached Engineer's report from Township Engineer Decker.

APPROVAL OF MINUTES:

- December 9, 2021 Township Committee
- December 9, 2021 Executive Session
- December 23, 2021 Township Committee
- January 2, 2021 Re-Org Meeting

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve the above meeting minutes.

Roll Call: Aye: Kiernan, Pfefferle, Plumer

Nay: None

Abstain: None

Motion Carried

BILL LIST:

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve the January 13, 2021 bill list.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

PUBLIC COMMENT ON GENERAL MATTERS:

None

CORRESPONDENCE/ANNOUNCEMENTS:

The County Road Department has announced that the Mt. Pleasant Bridge is expected to open on or about January 22nd.

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to go into Executive Session. (8:19 PM)

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Open Public Meetings Act RESOLUTION- Executive Session

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

_____ A confidential or excluded matter under Federal or State Law or Court Rule.

_____ A matter involving information that may impair the Township's rights to receive funds from the United States Government.

_____ A matter constituting an unwarranted invasion of an individual's privacy rights.

X Collective Bargaining Agreement or negotiation of the Agreement.
DPW Contract

_____ Matters involving the purchase, lease or acquisition of real property with public funds which it could adversely affect the public interest if discussion were disclosed.

_____ Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.

X Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.

DPW Truck
Alexandria Overlook

X Matters falling within the attorney-client privilege.
Beneduce Vineyards

_____ Personnel matters involving a specific employee or officer of the Township.

_____ Deliberations of the Township occurring after a public hearing that may result in the imposition of a specific penalty or suspension or loss of a license or permit.

3. It is anticipated at this time that the above matter will be made public: at the conclusion of the litigation and at such time as attorney client confidentiality is no longer needed to protect confidentiality and litigation strategy.
4. The executive session minutes will be placed on file in the township clerk's office, and will be available to the public as provided for by New Jersey law.
5. This Resolution shall take effect immediately.

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to return to Public Session **(8:43 PM)**.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve the DPW Contract. The contract will be for 3 years.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

- ***The following matters were discussed in Executive Session:***

- Alexandria Overlook

No update at this time. The Township needs to budget for a Conflict Engineer for 2021 on this matter. If Alexandria Overlook wants to accelerate the process, then an escrow can be posted by the Association.

- Beneduce

Twp. Atty. Dragan drafted a response to Beneduce Atty. Voight's letter. The CADB will only be holding meetings telephonically due to Covid-19. One of the proposed dates is January 27th but the Township has a Workshop meeting that evening until 8:00 PM.

- DPW Contract

CFO Rees prepared the Schedule A and it has been attached to the DPW contract.

- DPW Truck

DPW Foreman Heiser and DPW Chair/Comm. Kiernan met with Bob Silva from the County to review the DPW truck spec. The County recommends the option of a sweeper attachment for the new truck. This option will increase the price of the truck cost slightly. Twp. Atty. Dragan's office is drafting a contract for review at the next Twp. Meeting on February 10th. The Henderson quote expires on February 3rd and an

amended quote will need to be obtained with a new expiration date. Since Henderson is under the Sourcewell National Co-op the Township will need to advertise the purchase ten days before awarding the contract to Henderson.

MOTION TO ADJOURN

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to adjourn at 8:48 PM.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Meeting Adjourned at 8:48 PM.

Respectfully Submitted:

Michele Bobrowski, CMC/RMC

Township Clerk

I hereby certify that I have reviewed these Minutes of the Township Committee Meeting of January 13, 2021 and certify that said Minutes were approved by the Township Committee on the 10th day of February 2021.

Gabe Plumer, Mayor